

Contracts

OGC REVIEW
COMPLETED

22 June 1954

25X1A6A

MEMORANDUM FOR: Chief, [REDACTED]

SUBJECT : Claim of
Contract [REDACTED]

25X1A5A1

25X1A5A1

1. Reference is made to the claim of [REDACTED] in the amount of \$7,182.72 for allegedly furnishing services beyond the scope of subject contract.

2. I have examined the file relating to this matter, giving specific attention to the contract provisions concerned with "inspection" and the contractor's allegations as set forth in his letters of June 22, 1953 and September 9, 1953.

3. While the contractor contends that he performed services beyond the scope of the contract, it is evident that he is aggrieved because the period of inspection was of a greater duration than originally contemplated by him. This, of course, does not afford any legal basis for increasing the consideration stipulated inasmuch as the contract specifically provided that inspection was to continue until the completion of the project. In our opinion the contract is clear and unambiguous and I agree, therefore, with your decision that the sum payable must be limited to that amount specified in the contract.

4. I note that under date of September 9, 1953, the contractor has attempted to appeal your decision. I must advise, however, that since the issue does not present a question of fact within the meaning of the contract article entitled "Disputes", the appellate procedures of that article do not apply. Under the circumstances, you may advise the contractor that if he wishes to appeal our ruling on the law, he must apply either to the General Accounting Office or the Federal courts as no further consideration can be given to his claim by this Agency.

5. With respect to the \$1,694.20, which is understood to constitute the balance still outstanding under the contract, there would be no legal objection to your making payment without obtaining a release, provided a voucher properly certified is submitted by the payee for an amount inclusive of this sum.

151
LAWRENCE R. HOUSTON
General Counsel

OGC:LHH:RJB:jk

Approved For Release 2003/03/25 : CIA-RDP59-00882R000100220021-1

Orig. & 1 - Addressee *W. Backgroun*

1 - Legal 1 - Vital 1 - Subject 1 - Signer 1 - Chrono